

[PUBLISHED TWICE A-WEEK,—EVERY SATURDAY AND TUESDAY MORNING.—PRICE 13 RUPEES PER QUARTER.]

SATURDAY, 9 SEPTEMBER, 1837.

[NO. 9425.

1 Pair best Duelling Pistols in Mahogany cases, with complete apparatus, detoning locks.....	Rs 300
1 Do. best Cavalry Holster Pistols, complete, do. do.....	" 250
1 Do. do. do. do. flint locks.....	" 200
1 Do. do. flint locks Pocket Pistols.....	" 90

Apply at the Office of Messrs. *Skinner and Co.* Dady's Buildings, 9th Sept., 1837.

WARE of the best quality.—Cursetjee Burjee has a few small square bottles, just received via Egypt, and exposed for sale at his Shop, opposite to Messrs. Yates and Co.'s, at a moderate price.—Bombay, 9th September, 1837.

NOTICE, is hereby given, that Joao Custodio Pereira, of Bombay Portuguese, has sold to Ramdass Heerachund, of Bombay Hindoo, a certain House, situate on the Ground of the said Ramdass Heerachund, behind and adjoining to the house of the said Ramdass Heerachund, in the Parell road, and therefore if any person or persons have or claim, any right, or Title to the same, he, she or they, are hereby requested to make the same known to Mr. Collins, Attorney at Law, within 8 days from the date hereof or else they will be precluded therefrom.—Dated this 6th September, 1837.

ખજર.ડીઆંથી.આપીએચે.એફ.કશી
તોદીઓ.પરેરાએ.ચેર.એફ.સાંમદાશ.હીરા
ચંદને.વેચાતુ.આપીકુકે.તે.જિઆંમદાશ.હીરા
ચંદની.ખમીન.કુપરકે.તથા.તે.પરેલનાં.ર
શતા.કુપર.એચ.સાંમદાશ.હીરાચંદનાં.ચેર
ની.પહાડે.તથા.નજીક.વાશતે.એ.
કુપર.કરએફ.સોફ.અથવા.સોફોનો.એ.ચેર
કુપર.કરએચ.અથવા.અલાફની.રીતનો.દાવો
ખોયતો.કેએતો.તેનાંઓને.એફ.કરએચ.
મીશતર.કાલીનશ.ધારાનાં.વજીલને.આજ
થી.દીન.ની.મુદતમો.ખરે.કરે.મુદત
પહી.કોઈનો.દાવો.કપુલ.કરશે.નહી.ત
રીજ.ફ.ડી.શપટેમખર.૧૮૩૭

TO BE LET.—Two houses at Matoonga rent very moderate.
House at Colaba, called Morley Hall.
A house at Breach Candy. Apply to Cursetjee & Cursetjee.

GENERAL ORDERS.

MILITARY DEPARTMENT.

BY THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL.

Bombay Castle, 31st August 1837.

No. 389.—The following promotion is made.

2nd or Grenadier Regiment Native Infantry.

Lieutenant F. Williams to be Captain, and Ensign R. P. Hogg to be Lieutenant, in succession to Graham deceased.

No. 390.—14th May 1837.

Ordinance Department.

Acting Sub-Conductor William Thomson to be Sub-Conductor, and Store and Park Sergeant Thomas Channing to be Acting Sub-Conductor, vice Hall deceased.—Date of Appointment, 1st August 1837.

No. 391.—Lieutenant W. G. Duncan of the 24th Regiment Native Infantry, has returned to his duty without prejudice to his rank, by permission of the Honorable the Court of Directors.—Date of arrival at Bombay, 22nd August 1837.

No. 392.—The Right Honorable the Governor in Council is pleased to re-publish for the information of the Army of this Presidency, the following General Order by the Right Honorable the Governor General India in Council, No. 154, dated 31st July 1837.

No. 154 of 1837.

GENERAL ORDER BY THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Fort William 31st July 1837.

The following paragraphs of a Military Letter, No. 29, from the Honorable the Court of Directors, to the Governor of Bengal, dated the 5th April 1837, are published for the information of the Army:

Para. 1. Having had under our consideration the Regulations affecting the appointment of Officers to established Brigade commands, we have resolved that such Brigadiers of the 1st and 2nd Classes as are Regimental Colonels, and who have succeeded to the benefits of the Off-Reckoning Fund, shall be required to vacate their respective commands after having held the appointment of Brigadier for five years.

This Regulation however, to be subject to the same modification as to the appointment of General Officers to the Staff, viz. that if on any particular occasion you should be of opinion that the continued service of any Brigadier is indispensable to the public interests, you may continue him in the command until our decision on his cases shall be made known to you. Upon every such occasion you will furnish us with the requisite information, with the least practicable delay.

Para. 2. This Regulation is not to be applied retrospectively to the period which Brigadiers may have served as such prior to its announcement in General Orders, but we are of opinion that for every two years which they may then have served as Brigadiers, they should be considered as having served one year towards the completion of their four under the new Regulation.

(Signed) W. CASEMENT, Colonel, Secy. to the Govt. of India, Mil. Dept.

No. 393.—Assistant Surgeon Durham is relieved from duty in the Indian Navy, and placed under the orders of His Excellency the Commander in Chief.

No. 394.—With reference to the General Order dated the 7th instant, (No. 563) Private E. Stapleton of the Sappers and Miners, is placed at the disposal of His Excellency the Commander in Chief.

Bombay Castle, 1st September 1837.

No. 395.—The Right Honorable the Governor in Council has been pleased by a resolution passed in the General Department under date the 31st ultimo, to appoint Colonel Vans Kennedy to the Office of Oriental Translator to Government, and to abolish the appointment held by Lieutenant G. Pope, of Secretary to the Civil and Military Translation Committee.

Bombay Castle, 4th September 1837.

No. 396.—The Right Honorable the Governor in Council is pleased to re-publish the following notice issued from the General Department, under date the 2nd instant.

GENERAL DEPARTMENT.

Bombay Castle, 2nd September 1837.

"Notice is hereby given, that the Mourning for His late Majesty King William IV. will continue until the 30th of this month."

By order of the Right Honorable the Governor in Council, (Signed) W. H. WATKINS, Chief Secy.

No. 397.—Captain D. C. F. Scott, of the 3rd Regiment Light Cavalry, is allowed a furlough to Australia, for three years, on private affairs.

No. 398.—In consequence of the death of Captain R. Payne, Assistant and Acting Deputy Commissary General, the following arrangements are made in the Commissariat Department.

Captain D. Davidson the Senior Assistant Commissary General, to proceed to the Presidency, and assume charge of the Deputy Commissary General's duties.

Lieutenant E. Whichelo, Senior Deputy Assistant, to proceed to Ahmedabad, immediately to assume charge of the Commissariat duties in the Northern Division.

Brevet Captain D. M. Scobie, Deputy Assistant Commissary General at Belgaum, to proceed to Poona without loss of time, and assume charge of the Commissariat duties in the Poona Division.

Lieutenant Pope, Sub-Assistant Commissary General in charge at the Presidency, to proceed to Deesa, in succession to Lieutenant Whichelo, as soon as the weather will permit, after having been relieved by Captain Davidson.

Lieutenant Hartley, to assume charge of the Commissariat duties at Poona, on the departure of Captain Davidson, when he will proceed to Belgaum, and assume charge of the Commissariat duties of the Southern Division of the Army, during the absence of Brevet Captain Scobie.

Lieutenant C. Threshie of the 10th Regiment Native Infantry, to be Sub-Assistant Commissary General from the 17th of July last.

Brevet Captain H. Stockly of the 7th Regiment Native Infantry, to be Acting Sub-Assistant Commissary General, but to continue in his present appointment until the season admits of his proceeding to Rajpore, acting on the departure of Brevet Captain Scobie, from Belgaum, as Commissariat Officer at that Station, until relieved by Lieutenant Hartley.

The Officer Commanding at Deesa, will nominate an Officer to act on the departure of Lieutenant Whichelo until the arrival of Lieutenant Pope.

Lieutenant J. Ramsay of the 9th Regiment Native Infantry, to be Sub-Assistant Commissary General in charge of Bazars at Deesa, vice Threshie.

Bombay Castle, 5th September, 1837.

No. 399.—Assistant Surgeon Winchester is placed at the disposal of the Superintendent of the Indian Navy for duty in that branch of the Service.

No. 400.—The furlough to Europe on private affairs granted to Assistant Surgeon W. Hardy by General Order dated the 29th of November 1836, is commuted to a furlough to Egypt on the same account.

No. 401.—The undermentioned Gentlemen are admitted to the Service in conformity with their respective appointments by the Honorable the Court of Directors, as Cadets of Cavalry and Infantry and as an Assistant Surgeon on this Establishment.

The Cadet for the Cavalry is promoted to Cornet, and that for the Infantry to Ensign, leaving the dates of their Commissions for future adjustment.

Cavalry.

No. 471 Mr. William Francis Hunter.—Date of arrival at Bombay 17th August 1837.

Infantry.

No. 455 Mr. Warren Hastings.—Ditto..Ditto.

Medical Establishment.

No. 96 Mr. Henry Bradley.—11th August 1837.

Captain Charles Johnson of the 3rd Regiment Native Infantry, has returned to his duty, without prejudice to his rank, by permission of the Honorable the Court of Directors, Date of arrival at Bombay, 11th August 1837.

By order of the Right Honorable the Governor in Council, E. M. Wood, Lieut. Col. Secy. to Govt.

MARINE DEPARTMENT.

Bombay Castle, 7th August 1837.

No. 63.—Acting Commander S. B. Haines, is appointed Draftsman to the Indian Navy.

Bombay Castle, 31st August 1837.

No. 73.—Assistant Surgeon Durham, is relieved from duty in the Indian Navy, and placed under the Orders of His Excellency the Commander in Chief.

Bombay Castle, 2nd August 1837.

No. 74.—The Right Honorable the Governor in Council is pleased to direct, that the practice which already partially obtains of branding on articles received from the Public Stores by Ships of the Indian Navy, the date of their receipt shall be rigidly enforced in all practicable cases in future, and that the date of the receipt of each article shall be inserted in the proceedings of the Survey Committee; and whenever any article may be returned as unserviceable or repairable, after having been but a short time in use, the Commanding Officer of the Vessel will be required fully to account for the deterioration of the Article.

Stores returned from Ships into the Grand Arsenal are in the first instance to be examined by the Standing Naval Committee, whose duty it will be to bring to notice any wasteful expenditure or any negligence in the care of the small arms, &c. and to point out the party with whom the responsibility for such wastage or negligence may rest.

Only one indent for Ordnance Stores is allowed to be made by each vessel during her stay in Port, except under circumstances of unlooked for emergency which must be explained to the Committee on confirming authority.

The use of Returning Indents is surveyed to be discontinued.

Bombay Castle, 5th September, 1837.

No. 75.—Assistant Surgeon Winchester is placed at the disposal of the Superintendent of the Indian Navy, for duty in that branch of the Service.

No. 76.—Captain Sawyer is permitted to proceed to the Deccan, with leave of absence for two months, for the benefit of his health.

No. 77.—Commander Hawkins is permitted to remain in the Deccan until the 31st of October next, for the benefit of his health.

By order of the Right Honorable the Governor in Council, E. M. Wood, Lieut. Col. Secy. to Govt.

CIVIL APPOINTMENTS.

Bombay Castle, 5th September 1837.

The Right Honorable the Governor in Council has been pleased to grant Mr. Gregor Grant, deputy civil auditor, and mint master, a further extension of his leave, for a period of one month, from the 1st of October, on sick certificate.

By Order of the Right Honorable the Governor in Council, W. H. WATKINS, Chief Secy.

TERRITORIAL DEPARTMENT.

Bombay Castle, 6th September 1837.

Mr. R. Keays, to be third assistant to the principal collector of Surat.

Mr. T. C. Loughnan, to act as third assistant to the principal collector of Surat.

By order of the Right Honorable the Governor in Council, E. H. TOWNSEND, Actg. Secy. to Govt.

OPIUM MEMORANDUM.

IMPORTED.

From the 22d November 1836, to the 29th August last.....Chests 19,765

Ditto from the 30th ultimo to the 5th instant....." "

Total 19,765

EXPORTED.

From the 22d November 1836, to the 29th August last.....Chests 18,334

Ditto from the 30th ultimo to the 5th instant....." "

16

Chests 18,334

J. TAYLOR, Opium Agent.

Bombay, 30th August 1837.

NOTIFICATION.

TERRITORIAL DEPARTMENT REVENUE.

The Right Honorable the Governor in Council is pleased to notify, for general information, that the remission of all duties leviable on food and building materials imported into Surat, announced in the notification of the 20th May and 10th July last, is extended till June 1838.

Published by order of the Right Honorable the Governor in Council, E. H. TOWNSEND, Actg. Secy. to Govt.

Bombay Castle, 3th September 1837.

TERRITORIAL DEPARTMENT.

FINANCE.

Notice is hereby given, that the outstanding four per cent treasury notes of this Government, issued under the advertisement of the 17th of September 1834, will be discharged at the general treasury of this Presidency, on the 1st of December next, on which day the interest thereon will cease.

Published By order of the Right Honorable the Governor in Council, E. H. TOWNSEND, Actg. Secy. to Govt.

Bombay Castle, 6th September 1837.

SUPREME COURT.

TO THE EDITOR OF THE BOMBAY COURIER.

SIR,—Being compelled lately to attend the Supreme Court as a witness, I became an involuntary critic of the proceedings there. Strange and unbecoming as any judicial system must at first appear to an Englishman which

excludes 'Trial by Jury' I am disposed to think, that, as a general rule, a verdict from the BENCH is, in civil cases, more satisfactory than from the JURY BOX—nor is it my object now to defend or argue the fitness of an unchanging tribunal of two lawyers sitting in the place and performing all the functions of that one which is familiar to every home-bred British subject viz; 'Judge and Jury'. But I am unable to understand why it is that a practice is not observed by our Jury-judges which I believe to be one of course at home—I mean that of reading over seriatim, and commenting upon the testimony given at the Trial before proceeding to a verdict. It is impossible for any spectator of the acts and deeds of, the Supreme Court not to observe the pains and industry of our present Judges in endeavouring to unravel and ferret out the truth and intrinsic justice of a case, from those labyrinths of falsehood and error which are constantly brought before them—but I do think that their Lordships would themselves find the benefit of a constant observance of the practice I have alluded to.

In England, I believe in the most trifling case, the Judge reviews the whole evidence in his charge to the Jury—upon the demeanour and testimony of each witness he pronounces his opinion; and does not content himself with observations upon those parts of the evidence merely, which, from any cause, may happen to have made greater impression upon his mind. This practice appears to me admirably adapted to prepare both Judges and Jury for a dispassionate steady, and fair judgment upon the whole case before them.

Is it not possible that, where this wholesome practice is not adopted as a rule (for that it is substantially followed in particular cases I have no doubt)—but where the next and immediate step after the exciting proceedings of the trial itself, by which I mean the conduct of the investigation by counsel, is the delivery of the opinion of the whole evidence as is always submitted to by the Judge at Nisi Prius—is it not possible, I say, that some part (although perhaps a comparatively trifling part) of that evidence may be omitted in the deliberations of the Court? In fine, is it not possible that the opinion of the Court, however laboured, however conscientious, may be one of impression, rather than the result of calm and deliberate judicial enquiry?

My own observation has led me to believe that these suggested possibilities are possible. If either my facts or my reasoning be erroneous, I desire to be set right.

6th September, 1837. SPECTATOR,

TO THE EDITOR OF THE BOMBAY COURIER.
MR. EDITOR.—I have the pleasure to annex a translation of a letter I have received from an intelligent Native, at Dharwar, respecting the proceedings of the Commission assembled there, to investigate certain charges preferred by the Principal Collector, against Natives in the Public Service, in that part of the Country, which it appeared to me might be interesting to the Public.

A CONSTANT READER.

After the reassembling of the Commission, six papers were produced, said to be in the hand writing of Ram Row Ukbarnaves, on which he was, accused of having corruptly received himself, and given bribes to others; the investigation lasted three days, the Witnesses for the prosecution stated, that they had by fraud obtained these papers, from the house of Ram Row, they were addressed to others, but how they were found in Ram Row's possession, was least unaccounted for, nor was it shown that they had ever been sent to their destinations—Ram Row denied, that they were in his writing saying, they were fabrications, six Witnesses to the hand writing separately examined before the Commission, in the beginning of the examinations said, the papers were Ram Row's writing, but afterwards confessed, that they could not distinguish his writing separately, but if all were allowed to examine it together, they could. One admitted that he had not seen Ram Row's writing for 30 years, tho' he knew it then, many other queer evidence was elicited, and the Commission spread papers on their table before them, when after long looks, the Witnesses selected papers that were not written by Ram Row, as his, these six being the principal witnesses, the Prosecutor dispensed with the examination of the remainder, and the Commission made a minute of the principal proof of the hand writing, being that of persons who knew it, and the Prosecutor having failed in this proof, they declined the inferior evidence of comparison, with portions of his acknowledged writing.

The Court also gave a reprimand to one of the witnesses for his prevarications.
The Commissioners have now been sitting upwards of five Months in Dharwar, the pay of the "Sahib Lodge," and other official persons engaged on this enquiry, amounts to Rs. 17,000 a Month, and for the five months an expense of 85,000 Rs. has been incurred, besides the compensation to Witnesses, but no person can calculate the injury that may have happened to the regular duties, of the persons so engaged during their absence here—Only two cases have yet been investigated, and the Commission have sat in open Court 16 days, four cases have been dismissed, and acquittals recorded, in consequence of the Prosecutor refusing to proceed with them, and demanding still further delay, after all practical evidence had been procured. One charge of oppression, and tyranny to the Bye Sahib of Ramdoorg, tho' sent to Government in May last, has not yet been answered, that we have heard of, but the parties are left to suffer all the pains of suspense.

The nature of the cases founded on documents has been exemplified above, but it strikes me with great surprise, what object the Sirkar can have, in making all this expense, if for the sake of justice, it might be well, but here there is no such prospect, if the aggrieved parties came forward and complained, justice might require it, but no sufferer has yet been heard to complain, disinterested men, for the sake of redressing other peoples wrongs, forcibly persuade persons to make complaints, this is the practice here, and (except the Ramdoorg Bye) no one has yet complained for themselves—procuring papers from other houses, by any means, and searching them for grounds of accusations, has become the custom here, and no one can conceive the treachery it has led to among neighbours, against each other, and may "Ishwer" forbid such custom to arise in any other place.

Whatever obstructions may be offered, good enquiry will be made, when the truth will appear, but we hear, that men of high Rank and some Doulutdar's Children of five years and Women also are summoned. What evidence can such children give, or what confidence can be placed in it, or how can the Women of Doulutdar's come, or if they do not, what order will the Government issue regarding them. This has become a subject of anxious consideration with us all, great and poor men. Jagheers and Chiefs are summoned; the great cannot come without their "Suwarees" and now in the rains, what hardships to their people, crossing full Rivers &c. and what will be the fate of their attendants, and of the poor, who come by the Sirkar's orders, and this being the season for cultivation, if it is interrupted, they will be without food for themselves and Cattle for a whole year. How is this not considered by the Sirkar, with all these inconveniences, why does the Sirkar not hasten the decision—none of us can understand, and we wish that Government would think of some speedy remedy for these evils.

BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY.
At a Monthly Meeting of the Bombay Branch of the Royal Asiatic Society held on the 30th August 1837. The

Rev. J. Wilson, D. D. President in the Chair. Manmohandas Devidas was admitted a Subscriber, and J. M. Campbell and W. Howard Esqrs. were proposed as Members.

Dr. Wilson presented, in the name of Captain Le Grand Jacob, a very curious and interesting three headed figure from the ruins of Bhumli in Katiawad. The central figure is somewhat like the corresponding one in what is commonly called the Trimurti at Elephanta, both in its form and ornaments.

Several donations to the museum were made from W. Hardy Esq. M. D. These were mummies of crocodiles from the Mummy pit in the Arabian Mountain opposite Maufaloot upper Egypt, also a jar from the Mummy pits—Abooseer. On opening the latter it proved to contain the remains of two Ibises. Two small earthen images from Sakara have on their backs Cartouches containing the name of Psammetichus. In addition to these Antiquities, Dr. Hardy, presented a specimen of the nummulitic limestone upon which and of which the Pyramids are built. The Nummulis in this specimen very distinctly shew the structure of their curious fossil as well as indicate the circumstances of their destruction in some great Catastrophe. It was taken from the Pyramid of Gheza.

The first part of the 19th vol. of the Asiatic Researches was presented from the Asiatic Society of Bengal. This volume contains a full account of the fossil remains discovered in the Gangetic Valley.

From the Baron Alex. de Humboldt was presented the 1st Volume of his brother's posthumous work on the Rara language.

The President then read an account of a visit to the falls on the Sharattee near Gursapa.

SUBSCRIPTIONS FOR THE RELIEF OF THE SURAT SUFFERERS.

Major G. Jarvis.....Rs. 50	Capt. Adams.....Rs. 20
Col. Bagnold.....50	Goodfellow.....15
R. Binks, Esq.....20	Ensign Browne.....10
J. Thompson, Esq.....5	Mr. Master S. S. Sarsen, from abroad.....10
J. S. Winfield, Esq.....20	H. M. 17th Foot.....10
Bene Pursad.....15	Lieut. D. Cooper.....10
Mangot Row.....5	Asst. Surgeon J. Smith.....10
Abhaje.....10	Lieut. Wetherall.....10
Wysunath.....5	Major Spiller.....15
Jumduah.....5	Capt. Bayly.....10
Humechund.....15	Lieut. Cruickshank.....10
J. W. P.....15	Wardell.....10
J. Broders.....12	Ensign Adams.....10
Subscriptions under Five Rupees.....14	Highy.....10
FROM CANDEISH.	Horne.....5
Ramchunder Ambajee.....25	Hockley.....5
Gunputrow Nagesh Kumavisdar.....10	Lieut. Browne.....10
Datto Jadov Kumavisdar.....10	Surgeon W. Carstairs.....100
Daveesingh.....10	Non Comr. Officers of the 5th Regt.....14
Morrar Ruputum.....10	Major Stalker.....25
Musing Khunduraw.....10	Capt. Peat.....50
Eswantun.....25	Lieut. Wemyss.....20
Patto Chhambhoo.....10	Mr. Master Wemyss.....10
Kersaba.....5	Lieut. Barke.....10
Narraindass.....5	Major Little.....20
Ramjee Patel.....10	Brigadier Sherrin.....20
Dishmook, and Desh-Gopalsudaseo.....5	Capt. Conning.....20
H. R. Elliott, Esq.....25	Lieut. Shaw.....15
C. Govindrow.....15	Lieut. Col. W. Fendall.....100
C. Sims, Esq.....100	Capt. Gillespie.....20
Subscriptions raised in the Poona Bazaar.....270	from Dapoote, Ensign Robertson.....25
Subscriptions under Five Rupees.....42	Mr. D. Valladas.....6
FROM POONA.	Mr. D. Valladas.....6
Capt. Hagart.....25	Mr. D. Valladas.....6
Rev. E. Mainwaring.....50	Mr. D. Valladas.....6
Capt. Davidson.....50	Mr. D. Valladas.....6
Capt. Davidson.....50	Mr. D. Valladas.....6
Brigadier Willsheire.....100	Mr. D. Valladas.....6
Capt. Macon.....25	Mr. D. Valladas.....6

HIGH WATER TABLE.

Saturday.....	25
Sunday.....	25
Monday.....	25
Tuesday.....	25
Wednesday.....	25
Thursday.....	25
Friday.....	25

EXCHANGE.

Six per cent Remittable Loan.....	42
First five per cent Loan.....	25
No. 320, a 1st class.....	25
Second five per cent Loan.....	25
Third five per cent Loan.....	25
Bills on Calcutta, 30 days.....	25
Bills on Madras, 30 days.....	25
Bills on England at 30 days sight.....	25
Ditto at 6 month's sight.....	25
Spanish dollars.....	25
Portuguese dollars.....	25

VESSLS EXPECTED.

Six per cent Remittable Loan.....	First five per cent Loan.....
No. 329, a 1st class	Second five per cent Loan
Third five per cent Loan.....	Bills on Calcutta, 30 days.....
Bills on Madras, 30 days.....	Bills on Bengal, 30 days.....
Bills on England at 30 days sight.....	Do at 6 month's sight.....
Canton Bills.....	Spanish dollars per 100.....
Seigniorage each.....	

gers.—Lieut. Robertson, Mr. Lancaster, Mr. Rob
SHIPPING IN THE HARBOUR.
COMPANY'S VESSELS.—Brig Taptee, Cutter Mar-
 at, Cutter Nurbudda, Schooner Shannon, Surveying
 ing, Palanurus, Sloop of War Elphinstone, Brig of War
 uprates, and Sloop of War Amherst.
STAMER.—Hugh Lindsay, and Atalanta.
FREE TRADERS.—Columbia, Rapid, Blake, Hudders
 field, Logan, Col. Newall, Tory, Palmira, Sarah, Amba-
 sador, Morley, Isabel, Mermaid, and Portsea.
COUNTRY VESSELS.—Tauze, Lord Castlereagh, Hamu-
 dee Kurovia, Julia, Mahadimbu Shaw, Dowhit Savoy,
 Discovery, Francis Warden, Futay Salam, Eliza, Lady
 Grant, Hydroos, Ternate, Susan, Hydroose, and Gol-
 conda.
ARAB SHIPS.—Tauze, Nussarathshaw, and Judall Bha-
 ree.
FINCH.—Barque Anacreon.
HIS HIGHNESS THE NIZAM'S.—Barque Mecca, Pied-
 monte.

THE COURIER.

SATURDAY, 9th SEPTEMBER, 1837.

We mentioned, in our last paper, that the Comprehen-
 sives were at work at Calcutta; and we now find that a
 meeting of the Steam Committee was held on the 18th of
 August, at which it is stated in the *Hurkaru* that not less
 than 400 persons were present. We have read a very long
 account of the proceedings of the Committee, by the general
 opinion of which poor Captain Grindlay has been
 completely put to the wall, and the eulogiums of the
 Calcutta Comprehensives, undeserved as they contend by
 him, transferred to Captain Barber Mr. Greenlaw and
 last not least Dr. Lardner. Captain Grindlay never
 dreamed we conjecture that his agency would give occa-
 sion to such oratorical displays or such poetry as pro-
 ceeded from some of the Gentlemen of whom the meet-
 ing was composed. One of them soared very high and
 accused the Captain of "hoisting a vague and misty
 banner, with no decided black or white; when his flag
 ought to have been foremost in the battle, glittering
 with a white which those who run might read, and
 "on construing which there could be no mistake." In
 consequence of the opinion therefore entertained of
 the services of Captain Grindlay, the meeting, by its
 fifth resolution, confirmed his removal from the agency;
 a resolution to which effect had been adopted at a previous
 meeting. The second resolution passed on the occasion
 declares "the unabated desire of the meeting for the es-
 tablishment of the Steam Communication direct to the
 principal Ports of India, and their determination to pursue
 "such extension at the earliest possible period, in the event
 "of their first expectation of its immediate establishment
 "being frustrated." We are glad to see that the Compre-
 hensives have enlisted so powerful an advocate as Dr.
 Lardner, but we fear that his propositions must assume a
 much more economical dress before any favorable attention
 will be paid to them. He proposes we believe that no less
 than 11 Steamers should run on this side of the Isthmus,
 which appears rather high soaring even for the Comprehen-
 sives. We should recommend them to talk of 8 rather
 than the greater number.

We are again enabled to give our readers some slight
 details of the progress of Captain Burnes and his party.
 Our last intelligence left him within 50 miles of Attock,
 and Lieut. Robertson had proceeded 23
 miles further up, the crew of his boat muti-
 nious, and the disturbed state of
 the country rendering it impos-
 sible for him to proceed. The
 downward navigation from
 Attock to Kalla Baugh, and
 the junction taking of
 Captain Burnes to push
 sanguine expectations of
 a considerable part of
 the chronometers. The descent
 was unattended with difficul-
 ties, and the party perished notwithstand-
 ing. Between Attock and
 the junction of the River, which
 is 6 or 7 miles from bank to
 bank, is a powerful hand
 standing the difficulties
 of the valuable information which
 Captain Burnes considers
 good and practicable at all
 Kalla Baugh. With respect
 to this deserving traveller
 as an admirably adapted for
 and lucrative trade, and we
 prize of our merchants here
 in its promised advantages.
 Captain Burnes and his party has
 occupied with the survey of
 important duties of his mis-
 sion by no means neglected.
 additions to our collections of
 too have been made of all re-
 lishes which have been met with.
 entered the territories of the
 camp near the river. The next
 town, when they were saluted by
 guns. These guns were so well
 so rapid, that it was im-
 possible to see three field pieces; it was
 as if a single gun only had been used, which
 efficiency to which this branch
 of the service has been brought. Mittoo
 on the river and there is much
 action of all the towns and villages.
 ed, the mound on which they stand
 artificial and never exceeding the
 is composed of broken pottery
 and sun-dried brick and the mass is
 in which renders the ascent gra-
 dual, the top of this mound is piled a
 of, from amongst which rises a
 overtopped by a few old but
 this description is applicable to the
 If the town is of any importance,
 vels are seen houses constructed of
 the towns have two streets crossing
 es, and substantial dwelling houses
 high are frequently to be met with.
 Deyrah Ismael Khan has been
 and the New Town is quite a
 laid out and if completed as
 town on the banks of the river.
 the latter to Mittoo Kote
 seized upon by the Seiks. The
 mented with their new rulers, and
 favour to throw off the yoke of the
 nity. The Seiks are now struggl-
 ntry south of Kalla Baugh on the
 ver from its rightful owners the
 been successful with Takk and
 aging war with the clan Essau Khail.
 tain of the clan Essau Khail had
 ural letters to Captain Burnes expressive
 desire to pay him all the attention in his power. This

chieftain rendered various services to the party and ex-
 pressed his regret that he could not do more to shew his
 respect for the English. He appears to have made a very
 favorable impression upon the travellers who were much
 struck with his appearance. Every man we are told
 speaks well of him and even his most mortal enemies the
 Seiks never mention his name but in terms of commendation.
 He says that he will willingly pay a yearly tribute to Run-
 jeet Sing, but that he will never consent to another detach-
 ment of Seik troops being stationed in his country. At Kalla
 Baugh the position of the travellers was rather singular.
 They were within beat of the drums of the hostile forces.
 The Seiks occupied the east bank of the Indus while
 the Afghans were assembled to oppose their landing on
 the West One morning a detachment of the Afghans rode
 up and told the travellers that their tents were pitched on
 the spot where they intended to contest the passage of the
 river. We regret we cannot devote more time to the in-
 teresting details that have reached us of this most labori-
 ous and useful mission, which promises to effect no much
 for the advancement of service. Captain Burnes we are
 most happy to say, has by the manner in which he has
 conducted himself towards all those subject to his orders
 won their esteem, and they express great satisfaction that
 their efforts in the cause of their country are guided by
 so enterprising and able a conductor.

May we not apply to Spectator, whose letter appears in
 this days publication, the words Spectator venit ueniunt
 Spectator ut ipsi. We are a little surprised to find in our
 correspondent, under the garb of a witness, an inclination
 to think that in civil cases a verdict from the Bench is
 generally more satisfactory than one from a Jury; because
 we imagined that this was an opinion rarely met with among
 the public, although it lurks occasionally under the
 canonicisms of the profession. We have no hesitation in
 declaring our opinion, that on mere dry questions of Law
 we are much better satisfied with the legal calm dispassi-
 onate judgment of two or indeed of a single judge, than
 with that of a jury; subject as provincial juries fre-
 quently are to extraneous influences and operated up-
 on by prejudices and impulses, which constantly we
 fear induce a verdict contrary to rather than founded
 upon evidence. In some parts of England it is found by
 experience that certain provisions of our Statute Book are
 all but useless as far as common juries are concerned. A
 jury of Cornish miners is of very difficult management,
 and almost invariably on the side of the prisoners where
 a capital felony is the subject of inquiry; and in Sussex
 the chances of escape of smugglers from conviction are
 so numerous, from the feeling with respect to that offence
 pervading the generality of the population in that
 county, as to occasion frequent applications to remove
 the trial of the issue to other and less prejudiced com-
 munities. We could also point out other places, in
 which, from the opinion entertained on the subject of
 capital punishment, if trial by Jury was established, no
 conviction would ever ensue, in any case in which a
 judgment of death might follow the decision of the Jury
 box. In these cases, therefore, perhaps they ought so to be
 considered, excepted cases, to submit them to a repugnant
 jury is worse than useless, and yet such is not an infre-
 quent necessity in England. These exceptions, we think,
 establish that the trial by Jury, as an universal means
 of conducting legal inquiries, is by no means applica-
 ble, and that such a mode of investigation, however loudly
 extolled, should be limited in its operation to those
 communities which are in a fit moral and political con-
 dition to profit by and not abuse its advantages. But
 there are many parts of our system of jurisprudence in
 which trial by Jury is an useless application of that mode
 of scrutiny, in which that ordeal is an inconvenient
 and unnecessary mode of determining the guilt or innocence
 depending purely upon mere legal considerations,—the
 operation and construction of certain acts or instruments of
 conveyance. Who that has attended the trial of such
 issues has not been a spectator of the inefficiency of a
 jury on such occasions, and of the dumb show which 12
 men exhibit, from their being convoked to determine not a
 question of fact but one involving mere legal and techni-
 cal niceties. In these cases we have seen that a jury must
 take the very words of its verdict not its direction only
 from the presiding Judicial organ. We do not include
 in this class cases in which the validity of a will or the
 sanity of a testator may be one of the objects of inquiry,
 as we consider nothing better adapted for the solution of
 these points than the joint opinion of 12 men. But even
 in these cases, if party feeling, as is frequently observed,
 mixes itself up with the inquiry, the Jury box has not
 those unmixed advantages which the worshippers and
 extollers of that mode of trial arrogate for it. As far as
 respects property questions, we believe that if the profes-
 sion was interrogated, a majority would manifest its
 opinion in favour of the determination of such questions by
 Judges rather than by the 12 arbiters of our system.
 As a mode of determining the guilt or innocence of
 persons accused of criminal offences nothing can be more
 admirable, nothing better conceived than the solemn
 scrutiny which then takes place, than the formal process
 by which the offence of the individual is to be ascer-
 tained. In criminal cases in general the legal difficulties
 which intervene are not usually very considerable. The
 culpability of the prisoner is dependant mostly upon
 acts which common intelligence can sufficiently scruti-
 nize, and there is much less danger too of undue in-
 fluence having any operation, than when, as is the case
 in questions relating to property, the subject of dispute is
 situated and the party interested have all their relations
 connections and intimacies in the same place and neigh-
 bourhood from which the Jury is summoned. Now what
 forms the principal part of the business of the Courts in
 the Presidency? The infinitely greater number of the
 questions here agitated concern matters of property, and
 with the sentiments which we entertain of the fitness of
 Judges alone to decide such questions, we consider the pre-
 sent mode as useful and—rational for effecting the local
 administration of Justice as that more complex one, which
 as regards legal as contradistinguished from equitable
 interests, is the practice of the Courts of the United
 Kingdom and considered indeed the corner stone
 of our system of jurisprudence. The question of
 trial by Jury has been however so amply discus-
 sed, that it almost requires an apology for dwelling
 upon so trite a subject, we pass therefore to another part
 of our correspondent's letter. Spectator seems to object that the
 Judges do not read over the whole of the evidence and
 comment upon it before proceeding to a decision. On the
 necessity or utility of this we must differ with our Corres-
 pondent. The practice contended for by Spectator is
 one which probably had its beginning and was cotem-
 poraneous with the Jury system. And where there are
 two branches, each of which requires to be equally in-
 formed of the whole matter and evidence before a decision
 be pronounced, it is a practice which is doubtless
 useful salutary and imperiously necessary. It is still a
 practice which is necessary only as respects the jury men
 themselves, and has emanated from the extreme anxiety
 of judges to put them in full possession of the whole
 evidence and bearings of a case in which their opinion
 much of necessity control that of the judge himself. But
 where no Jury intervenes, where there is no second party
 upon whom the matter is to depend, where too the im-
 pression of the Judge after having heard and afterwards
 read through the case is all that is necessary, we do
 not see why he should be called upon again to plod
 through the evidence viva voce, a full consideration to
 which he can and does give whilst his mind is deliberating
 upon a decision previous to its delivery.

Mr. Turton has written to one of his friends at Calcut-
 ta to announce the progress of his resistance to the Black
 Act as it is termed. We do not consider his letter as
 containing anything very promising on the subject of his
 mission. From Mr. Larpent, Mr. Crawford, Mr. Hastie,
 and the members of the East India and China Association
 individually, he says "I have received every assurance of
 "active co-operation, but as a body collectively they seem
 "to think it beyond their province."

EUROPEAN INTELLIGENCE.

HOUSE OF COMMONS.—JUNE 1.

COLONEL ARTHUR LATE GOVERNOR OF VAN DIEMEN'S LAND.

Mr. Hume presented a petition from Andrew Brent a-
 gainst Colonel Arthur. Mr. Duncombe moved for a
 select committee to inquire into the allegations con-
 tained in the petition of Colonel Bradley, which was
 presented on the 17th of February. That petition con-
 tained serious charges, not only with respect to the
 character of Colonel Arthur, but the army generally.
 Since he had presented a petition, the noble lord had pre-
 sented a petition from Colonel Arthur, praying also for
 an inquiry. The charges in the petition of Colonel Bradley
 might be divided into two heads: first—that Colonel
 Arthur during his appointment in the Honduras had usurped
 the military command of the King's troops there, and
 during that command he had exercised that authority
 with injustice and inhumanity. When he (Mr. Duncombe)
 brought this subject forward on a former occasion, he was
 told that Colonel Arthur was in Van Diemen's Land,
 and that it was not right to make those charges in his ab-
 sence. Colonel Arthur was now in England, and within
 the call of the House; therefore he had no scruples now
 in repeating those charges, and moving for a committee
 before which he could substantiate them. (Hear.) He
 could prove that a man of the name of Ingram had been
 flogged by tap of drum. In July, 1818, a man of the name
 of Reeves was sentenced to receive a certain number of
 lashes, and Colonel Arthur wrote a letter to the com-
 manding officer, desiring that the punishment might not
 be hurried, but that it might be inflicted in the most im-
 pressive manner. It was so in the case of Cook, who
 received 550 out of 700 lashes, to which he was sentenced
 by martial law, when the appeal should have been to the
 civil power. There was a person in London ready to prove
 the horror which pervaded the troops at this punishment.
 Lord Howick opposed the motion. Colonel Arthur
 was sincerely and anxiously desirous that a committee of
 inquiry should be appointed. He applied not only to
 this House, but to the commander-in-chief for inquiry.
 Col. Bradley had brought an action in the Court of
 King's Bench against Col. Arthur for false imprisonment.
 In that action Col. Bradley recovered damages to the amount
 of 100*l.*, on the ground that Col. Arthur exercised a
 needless severity in the imprisonment; but the jury distinct-
 ly negated the allegation that Col. Arthur had wrongfully
 assumed the command. He thought that the jury had formed
 a mistaken opinion as to the amount of severity; but Col. Bradley was so sensible of the effect
 of the verdict that he appealed for a new trial on the ex-
 press ground that Col. Arthur was not entitled to assume
 the command, and the Court of King's Bench came to the
 decision that there was no ground for the statement of
 the assumption of the command being illegal, and they
 therefore refused the application for a new trial. (Hear,
 hear.) The question having been thus decided, he for
 one would not consent to have it raised in that House.
 (Cheers, and cries of "Hear.") The Duke of York re-
 moved Col. Bradley's commission, for he would have been
 broke, if tried. As to the cases of cruelty alleged to
 have occurred in 1818, why were they never mentioned
 till 1836? (Hear.) Who could prove his innocence
 of a charge made eighteen years after the fact? It
 was provided by the Mutiny Act that no person could be
 tried by court martial after the lapse of three years from
 the period of the alleged offence, unless it
 could be proved that some necessary impediment pre-
 vented an earlier trial; and even in that case no more
 than two years was allowed after the impediment was re-
 moved. With regard to Ingram, all the evidence was
 that a person heard a drummer and a black man say that
 they could tell something about the matter, but that they
 would not give their evidence unless paid for so doing.
 (Hear.) With respect to the punishment alleged to have
 been inflicted upon Ingram, he held in his hand the let-
 ter of the four surviving officers who were present, and
 they all distinctly stated that no such punishment as that
 described took place. (Cheers.) They remembered the
 punishment of Ingram, and they all stated that it hap-
 pened in the ordinary way. Their letters further proved
 that Colonel Arthur, instead of aggravating corporal pun-
 ishment, frequently interfered to recommend that solitary
 confinement should be inflicted instead of the lash. (Hear,
 hear.) In addition, Captain Willis stated in his letter
 that Colonel Bradley himself complained, not of severity
 on the part of Colonel Arthur, but that Colonel Arthur
 was so lenient, so averse to the infliction of corporal pun-
 ishment, that he endangered the discipline of the troops.
 (Loud cheers.) He had the written testimony of three
 private to the same effect. With regard to Cook, he
 held in his hand a letter from the magistrates of Honduras
 to whom Cook's case was referred, declaring that the of-
 fence was one beyond their jurisdiction, and to be tried
 only by military law. So far was it from being true that
 Colonel Arthur appealed to the military in preference to
 the civil power, (Hear, hear.) The real truth was, that
 Colonel Arthur, by the bold and inflexible manner in
 which he protected the rights of the slaves at Honduras,
 had incurred the hatred of certain persons, who had per-
 severed in persecuting him from that hour, and who had
 not yet forgiven him. (Cheers.) Would the House, to
 gratify the malice of the owners of these slaves, suspend
 over Colonel Arthur's head the stigma of a charge which,
 to disprove, a committee, if appointed, must wait for re-
 turns from Honduras? ... Mr. Hume contended that the
 case had been reported to the Horse Guards by Colonel
 Bradley at the time, but no notice was taken of it. Why
 was the subject revived now? It was stated last year, in
 the debate on flogging in the army, that the punishment
 by tap of drum was inflicted in order to prolong the period
 of suffering. It was denied that any such punishment
 took place. Colonel Bradley, upon this, recollected that
 such punishment had been inflicted by Colonel Arthur,
 and he mentioned the fact in a letter to the honourable
 member for Finsbury. This brought the matter to an is-
 sue; and why, he should like to know, was the inquiry
 to be refused? ... Sir Henry Hardinge had been bound
 officially to study this matter; and on the whole of the
 evidence, carefully considered, he felt bound to declare
 that, in his opinion, there was not a shadow of a founda-
 tion for the charges against Colonel Arthur. ... Colonel
 Thompson, Major Beauclerk, and Mr. Wakley support-
 ed, and Mr. C. Pelham, Mr. Ward, and Mr. G. F.
 Young opposed it. ... Mr. Duncombe replied, and the
 House divided. For the motion, 34; against it, 81;
 majority, 47.

THE LORD CHIEF JUSTICE.

MORNING POST.—The observations of the Lord Chief
 Justice of the Court of King's Bench in the House of
 Lords on Tuesday evening are highly creditable to him as
 a man, as a peer of the realm, and above all, as an upright
 and independent judge. It is a high satisfaction to be
 able to turn aside occasionally from the struggle and the

strife of party politics, in order to contemplate the noble
 results of our system of judicature in the lofty intelli-
 gence, and unbending integrity, of those who preside over
 our courts of justice. As a politician Lord Denman is a
 Whig—and worse than a Whig, for he is a supporter of
 the present administration. As a politician, therefore, we
 have ever been opposed to him, and we are so still; but
 we are not on that account the less willing to observe his
 noble fidelity to his duty as a judge, or the less ready to
 acknowledge it and to offer it the sincere tribute of our
 admiration. It will hereafter be borne in mind, to the
 honour of Lord Chief Justice Denman, that, being at once
 a politician and a judge, a peer of Parliament and a chief
 administrator of the law, he showed a more zealous care
 for the privileges of the law of the land, than for the pri-
 vileges of Parliament, and dared to differ from his party
 rather than abate a jot of his integrity as a judge. In what-
 ever way the question now raised concerning Parliamentary
 privilege may be settled, we are glad, for the glory of
 the administration of justice in British courts of law, that
 that Lord Denman has stood forth so manfully, and spoken
 so boldly, and yet so discreetly, as he has done. We
 trust that the noble lord has already done enough to rouse
 the spirit of the nation against an encroachment upon the
 full, free, and fair application of the law, which is the
 dearest right of every Briton. We have great respect for
 the privileges of Parliament; but we have still greater for
 the privileges of the people, which are secured to them by
 the law.

GLOBE.—The publication of proceedings in a court of
 justice, including the oral evidence or affidavits of wit-
 nesses, is legal, and this solely on the ground of public
 convenience. And, therefore, without pretending to
 judge whether Lord Denman or the committee be in the
 right as to the existing law, our wishes are, so far, with the
 latter. But the case assumes a very different aspect when
 we examine the first resolution framed on the report of the
 committee. By that resolution the House claims (in the
 old language) to be sole judge of its own privileges; and
 proceeds boldly to define wherein that sole judicial power
 consists, by declaring that any proceeding to call these privi-
 leges in question is in itself a breach of privilege! By
 this most astonishing resolution the House does in fact
 claim a right to do, by a resolution of a simple majority,
 any act whatever, no common or statute law withstand-
 ing; and a right to judge, by another resolution of a bare
 majority, whether or not that act was rightly done! It
 claims the power to take away life or property, to enact
 or unmake law at pleasure—in short, it asserts, humanly
 speaking, its own omnipotence; and that, as we have
 said, by the act of a mere majority without previous notice
 or consideration. We can read the resolution in no other
 way. What the committee meant by the report on which
 it was founded we do not pretend to say; but we defy any
 commentator to put a different explanation on what it has
 said. Surely all remarks on such an extraordinary claim
 are unnecessary, and no remarks could add to the startling
 effect of its announcement. This is indeed what Mr.
 Duncombe truly calls setting up an "irresponsible despotism."
 Surely it cannot be said that so wide and sweep-
 ing a declaration of rights is harmless because there is no
 danger of its being enforced. In quiet times it will no
 doubt lie dormant. There is no danger of the House of
 Commons assuming the command of the army, or ordering
 out the militia, or sending the Lord Chief Justice to the
 Tower, by a bold stretch of "privilege," as former
 Houses might have done. But quiet times will not always
 last. When there is any vehement collision between op-
 posing legislative bodies, or between any legislative body
 and some other power in the state, then these arbitrary
 doctrines will bear bitter fruits.—*Atlas, June 11.*

INTERFERENCE OF GOVERNMENT IN PRIVATE BILLS.

STANDARD.—As if to give a perfect illustration of the
 justice of Lord Brougham's sarcastic description of the
 machinery employed in manufacturing private bills, the
 disgraceful story of the rival Brighton railroads (the carry-
 ing of one of which ministers had made a cabinet
 measure) was discussed at full length in the House of
 Commons last night. We need not refer to the particu-
 lars of the debate; be it enough to say, that the job
 charged against ministers was charged openly by some
 who are usually their warmest supporters, and was not
 denied. We do not say, because we do not know,
 whether Mr. Poulett Thomson, or any of his brethren
 of the cabinet, has, in his own name, or in the
 name of any other person, share, or shares, in the fa-
 voured line. But one thing is certain, every one of the
 ministers may be a shareholder, without the fact coming
 before the public; and from this certainty arises the great
 probability that if such commercial speculations be habitu-
 ally made cabinet measures, after a little time the chief
 business of ministers will be to put out comfortable com-
 mercial jobs for themselves. We know all that will be
 said of the purity, high-mindedness, &c., &c., of public
 men; but observing, by the way, that making a railroad
 act a cabinet measure says little of purity and high-min-
 dedness, we may say, generally, that
 We trust no politician's truth.

David Hume says, they are all rogues, to be treated as
 such by every one who would not wilfully deceive him-
 self. Bacon, Algernon Sydney, Sir Robert Walpole, and
 the Duke of Marlborough, were all men as pure and
 high-minded as any one who ever undertook the work,
 and received the wages of Mr. D. O'Connell; and yet it
 is established against each of the four, that he took a bribe,
 under circumstances much more disgraceful than would
 be a little cabinet jobbing in railroad shares. The more
 we consider this question of private bills, the more con-
 vinced we are that if the government and the Parliament
 would eschew the commission of infamous practices so me-
 trical for the flattery of private bills, wholly indepen-
 dent of both, must be erected. We should rejoice to see
 Lord Brougham placed at the head of such a tribunal—
 his talent—his universal range of knowledge—his honest-
 y—and his proud spirit would eminently fit him for the
 station.—*Ibid.*

THE SABBATH BILL.—THE PUBLIC BUSI- NESS.

MORNING CHRONICLE.—We said the other day that
 having "no House," and doing no business, was very
 frequently much better than attempting to manufacture
 some crude rubbish, under the claim of "doing business,"
 into legislation. We are well borne out in our assertion
 by the kind of farce that, under the patronage of Sir
 Andrew Agnew, was performed last night before Parlia-
 ment. Was there ever a religious people more wantonly
 assailed, or a sensible people more grossly insulted, than
 by the attempt to bring in a bill the preamble at which
 states that the Sabbath is generally treated with disrespect
 in this country. And the enactments of which actually take
 the winds under their governance, and pretend to pre-
 scribe for the sailing of a vessel? And here, ye lovers of
 doing business, here is a measure occupying nearly the
 whole of one night, carried through its second reading by
 a great majority, almost every one of that majority con-
 fessing that it is, as it stands, perfectly absurd and per-
 fectly impracticable. Why, if measures perfectly absurd
 and perfectly impracticable receive this countenance—if,
 instead of being scorned and scouted as they ought to be
 at their very first appearance, they are nursed and fostered
 into maturity and importance—if they are only to be
 rejected after the patience of Parliament and the public is
 worn to the fast rag—if, before they are treated with the
 contempt that they so wantonly court, they are to be sur-
 vived.

ferred to exhibit folly in all its provisos and all its stages— if a bill the most silly and absurd is not to be pronounced silly and absurd as a whole till you have examined and discussed every one of the silly and absurd portions of which it is composed—if this is to be the doctrine in respect to the manner and method of doing business—the people may complain long and loudly of the shameful abuse of their attention and of the time of their representatives.—*Ibid.*

ATLAS.—JUNE 4.

An exhibition somewhat dramatic in its kind, was got up on Wednesday night in the House of Commons by Sir James Graham, who, inspired by a sudden zeal for purity in the exercise of the elective franchise, instituted an inquiry into the means by which the writ for Glasgow was transmitted to that city, it having appeared that it was too late to be dispatched by the mail, and that it was sent off by express. That the party to which Sir James Graham belongs should betray so much tenderness on a subject of this nature is not a little curious, when we recall to memory the divers arts and agencies they formerly employed, when they were in office, to influence the results of electioneering contests. They might be fairly met by a retaliatory reference to certain proceedings in places where persons in the employment of government possessed the right of voting, and where the most remarkable activity was displayed in canvassing for such votes by influential gentlemen connected with the administration, whose arguments on such occasions were no doubt of the most convincing character. Lord Lowther and Mr. Holmes would be excellent witnesses to call in evidence, and even Wordsworth, the poet, might illustrate the case by sundry useful reminiscences. But fortunately the Glasgow business rests upon better grounds than those of recrimination.

The whole affair may be thus briefly stated. The messenger who was dispatched with the writ to the Lord Chancellor's house in Bruton-street, finding that his lordship was out of town, went down to his residence at Wimbledon, where the instrument was perfected in the usual way by his lordship. Upon his return to London the writ was too late for the mail, against which contingency Mr. Stanley had provided, by dispatching a note to Colonel Maberley at the Post Office, requesting him, in such an event, to send the writ by express to Glasgow. The clerk in waiting acted upon this authority, and the writ was accordingly forwarded by a horse express in the usual way that night. This is the delinquency for which Sir James Graham considered it necessary to impeach the integrity of the administration.

It is perfectly true that the proceeding was irregular, and contrary to act of Parliament. Mr. Stanley frankly admits that but states that he was not aware of its being irregular at the time, and that he was guided by a precedent which had been set in a former period by a Tory government. Of the prudence of bringing a charge against ministers, which could be thus answered by a direct appeal to the acts of that very party from which the charge emanates, it is not for us to speak; but it must be evident to the country that it would have been more creditable to those with whom Sir James Graham politically consorts, not to have agitated the subject. Had Sir James Graham's friends observed the provisions of the act of Parliament, with which it appears they were well acquainted, they might with some show of propriety have censured Mr. Stanley with having violated them; but when it is discovered that their own infringement of those provisions led Mr. Stanley into the indiscretion, they ought at least to have treated the error as one which had originated with themselves and not with him. We do not make any excuse for Mr. Stanley's ignorance of the act of Parliament; but we fix the responsibility upon its true basis when we assert that his error was unconscious, while theirs was wilful.

It is assumed that there was a motive for hastening the dispatch of the writ; and the reader will derive no little entertainment from being informed that the imputed motive was that the writ should reach Glasgow before the quarter day, when it is usual for tenants who are about to remove to change their residence!—or, in other words, that it should reach Glasgow in time to secure the votes of the then existing constituency. It is not possible for us, or for any one else, to decide whether Mr. Stanley was actuated by such a motive; but we cannot avoid observing, that if he was, it appears to be one of the most natural and legitimate motives by which he could have been guided. The writ was issued for the sole and exclusive purpose of ascertaining the feelings of the constituency, and enabling them to take constitutional effect in the election. Now, if, by a day's delay in the transmission of the writ, a portion of the constituency, in consequence of having changed their residences, should have lost the right of exercising their votes, they would have been beyond all doubt disfranchised by a circumstance over which they possessed no control, and by which they ought not to suffer. The very fact brought forward, therefore, as a ground of censure suggests the very best possible defence for the activity of Mr. Stanley, who was by that fact more than by any other justified in hastening the transmission of the authority to the sheriff. The result of the election does not affect this view of the matter either way; and as it was impossible that Mr. Stanley could have known on which side the majority of removals would have taken place, so it was clearly impossible that he could have been led to expedite the dispatch of the writ for the purpose of securing the fitting voters on behalf of his party.

But the whole proceeding springs from the mortification of defeat. Had the Conservative candidate succeeded, we should have heard nothing about the way in which the writ was sent to Glasgow. The end hallows the means in the estimation of the Tory party. The signal discomfiture of Mr. Monteith, which establishes, beyond all refutation, the state of opinion in one of the most important towns in the kingdom, was an occasion of too much importance to be passed over in silence. It was necessary to do something to show that the result was procured by secret influence, by intrigue, or manœuvring. The attempt, however, has utterly failed, and recoiled upon its authors. As to Mr. Stanley's share in the transaction, all that can be said is that he acted precipitately and in ignorance; but even his political opponents cannot accuse him of having deliberately contemplated a violation of the law, or of the spirit of the constitution.

SCOTCH JUDGES, AND THEIR SALARIES.

HITHERTO there has been no principle followed in regard to the numbers and payment of judges. At a certain period of the progress of a nation, a certain number of supreme judges are wanted; and so they are made, according to the lights of the time and the predilections of the monarch. In England, Scotland, and Ireland, they have been appointed at the discretion of the ruling power, after the fashion of the day, and so continued, very much at random. When the system is advantageous to the public or the reverse, the question which has now been broadly raised in regard to Scotland, by the state and expense of the judicial business. On the one hand, the Lord Advocate, as representing the Edinburgh lawyers, proposes to increase the salaries of the Judges of the Supreme Court, called the Court of Session; on the other hand, Mr. Wallace, Member for Greenock, and in some sort representing the Reformers, proposes to reduce these Supreme Judges, by abolishing not only one coordinate court or four Judges, but also the office of Sheriff-Depute, comprehending a numerous class of Judges at present existing.

cient; thereby saving 20,000l. a year. Mr. Wallace further proposes to move for a committee to sift the state of the forms of proceedings in the Scottish Court, so as to insure to the public the best servants, on good pay, and performing their work according to a good system.

The first and great consideration to be kept in view is, that the far greater part—nine-tenths, indeed—of all those annoyances which lead men into courts of law, arise from the complex and confused state of the law itself. Every thing is surrounded with the thorns of technicalities; sophisms, quirks, and quibbles, form the staple of the legal market; and the light of truth and simplicity, in statement and from, becomes nearly as painful to the vision of a lawyer as the light of the sun to the eyes of the bat or the owl. Such things, too, are hedged in with monopolies. Hence, the lawyer, learned in these matters, is well employed and highly paid. A fine field is open for long arguments, and long papers or pamphlets, in Scotland, and for the display of much acute talent wrongly directed. To harmonize with all this, the judge must be equally skilful: he must, in short, be the best after his kind; and pecuniary motives must be held out to him to quit the bar for the bench. The vice of the system is there completed; or is counteracted in the persons of those judges who are governed by high benevolence and strong good sense.

Such a system requires a considerable number of judges. It is highly complex, and wholly artificial and unnatural; if it were *scientific*, it would be natural, that is, simple. The judges are long detained with a few causes, called *important*, because some persons of rank is concerned in them, and is able to pay for the whistle. But were the judges do not act singly, but in fours and fives, the evil is increased; and the operations of the courts are not only slow, but the sure source of further litigation. The quick and able judge must wait for the slow and less talented; or he must overbear the latter by his own force of character. Some show of action must also be exhibited by all the associated judges of a court; and diverse opinions cannot fail to be expressed, rendering decisions unsatisfactory and uncertain; Responsibility for acts done is also wholly lost. If, on the contrary, the laws, the lawyers, and the judges acting singly, were purged of their present corruptions and placed in their true, rational, and dignified position of rendering real service by keeping men just and true in all their dealings, how much more satisfactory would it be to all parties? Then the "important cause" would not be that of the heavy purse, but importance would be attached to the long plebeian roll of causes arising out of overflowing transactions.

There are symptoms of the approach of such an alteration in the business of our courts; and in disposing of the question of judicial appointments and incomes, some little foresight must be had to a better state of affairs. Arrangements now made may last for a generation, or at least a single lifetime; and care must be taken that they become not useless burdens. All men are agreed that a judge should be learned, upright, industrious, and dispassionate. Most men, who have not an eye to political patronage, will admit that the judges of any country should not exceed the number requisite for the due performance of the judicial business. What, then, is a fair, or handsome remuneration for such judges? The legal profession must be the source of supply; but it has never been proved that it ought to be confined to one branch of that profession. The profits of business must so far form the rule, but not the profits of any one individual. At the time of life that a man is required for the bench, he has generally had some success in life; and his motives will not be all for gain, but partly for usefulness and distinction. These will predominate according to natural constitution; but as a rule, it may be taken that the desire for gain is the least motive with a person qualified for the important office of a judge. If the whole United Kingdom were governed by the same system of laws, the range of choice for the judgement-seat might be cut of the whole legal body. As it is, let us view the question as it relates to Scotland.

At present there are officiating, according to their various commissions, about one hundred stipendiary judges local and supreme together; the local called Sheriffs and Sheriffs-Substitute, with salaries ranging from 100l. to 800l.; the supreme judges called Lord of Session, with salaries from 2,000l. to 4,300l. There is no scale of promotion, but sometimes Sheriffs become Lords of Session. Now, there are three orders of professional men in Scotland,—first, "advocates," or barristers; second, "writers to the signet" and "solicitors," acting as attorneys or solicitors and conveyancers; and third, "writers" or "procurators," acting as the last, but residing in the provincial cities and towns. The selection of Judges is made out of the class of advocates before the Court of Session, exclusively; only a few of the low-paid Sheriff-Substitutes belonging to any other class. Hence, the general effort always has been to uphold the sources of high profit for advocates,—that is, plenty of legal pamphlets or long papers, long speeches, frequent and difficult enactments, and responsibility for errors. And then, when the income of the Judges is under consideration, as in the Select Committee of the House of Commons in 1834, advocates are brought forward to hold out their large incomes, both with the view of bidding individually for the first seat on the bench in case of the resignation of a President with 4,300l. a year, and of keeping a high scale for the Ordinary or Puisne Judges, for the benefit of friends. A very different case would be made to appear, if the whole number of requisite judges were taken; and if a selection were made of an equal number of the most talented and best qualified of the whole professional body of Scotland, with the probable income of each derived from professional employment. From such a list we should have no hesitation in making satisfactory appointments, and in giving the highest average income.

At present, the whole expenses of paying judges, judges' clerks, clerks of court, and other officers, in the Court of Session, amounts to about 70,000l. a year, one half of which only is paid out of the national revenue, the other half being wrung from the litigants in the shape of excessive fees, according to the ancient rules and judicial Acts of Sederunt of Scotland; besides which large sum, litigants pay heavy charges to their legal agents and counsel; the whole amounting to a virtual denial of justice to every one who has not a heavy purse. For this 70,000l. the return of last year's business shows that

Causes	
The five Courts or single Judges of the Outer House have entertained only	1,770
Of which, decided in <i>absence</i> , with comparatively little expense	546
Judgements in litigated causes	710
The balance perhaps being still depending	
Brought forward	710
The two Inner Houses or Chambers, four Judges in each, have had—	
Causes for review	456
Incidental and summary applications, litigated	375 375
Ditto, passed as matters of form	1,359
Final judgements in litigated causes	539
Causes tried by Jury	43
Total litigated causes in 1836	1,467
Add those in <i>absence</i> and formal	1,905
	3,372
So that each cause would average about 211. of expense	

paid for the bare living machinery of justice, putting the heavy costs of buildings, &c. out of view; or, taking the litigated causes only, this expense would amount to 471. for each cause.

The number of *litigations* divided by the whole number of Judges, gives about 100 to each; and if these were not kept in good circulation by motions and written pleadings, as well as debates, there would not be even the work of *an hour and a half* daily for five days a week, or 144 days yearly, which the greater part of these Judges pass in court!

As a contrast to this work, take the Sheriffdom of Lanark, in which Glasgow is situated. In that Sheriff Court there are of ordinary causes, about 2,100; and of small debt causes 12,700;

which are all disposed of by one Sheriff and three Substitutes, besides a great deal of criminal and other business: the salaries of the Judges being only 1,600l., and the whole other expenses not much exceeding twice that sum, under many abuses.

On these grounds, we think there is a very strong case for an inquiry of the nature proposed by Mr. Wallace, not only whether the present number of Judges is the proper number, but whether their duties and salaries are fitly adjusted; and whether the forms of proceedings in their courts are such as are required for the despatch of the business. Judging further from the number of bills about Courts in Scotland continually before Parliament, we think the people of Scotland must be right in demanding still more sweeping reforms in their laws and the administration of them, than they have yet received from tinkering reformers.

The motions we have referred to are fixed for Thursday the 22d instant; and we shall then see how far Reformers or Obstructives are to prevail in forwarding or thwarting improvement in this very important direction.—*Spectator.*

ATLAS.—JUNE 11.

The failures that have recently taken place in London are unparalleled in the extent of surface in the mercantile world, which they will ultimately affect. The probable amount of the failures of the three American houses of T. Wilson and Co., T. Wiggins and Co., and G. Wildes and Co., has been variously estimated at two, three, and four millions; but it is impossible at present to speculate with any degree of certainty on the final result. If the state of the accounts of these great firms, as they appeared on the face of their books on the 15th May, were taken as a test of the issue, no very serious consequences may be apprehended. The estimates which were then made, by inspectors nominated by the Bank, exhibit a considerable surplus, which, of course, is not available at present, above their actual engagements. The totals of these estimates stand thus:—

T. WILSON AND CO.	
Liabilities	£1,256,300
Assets	1,934,300
Leaving a balance to meet private loans of 406,000l., advanced by the Bank of England on guarantee, and capital	678,000

T. WIGGINS AND CO.	
Liabilities	£ 908,100
Assets, after deducting estimated loss on suspended accounts, 207,500l.	1,392,800
Balance to meet private loan of 200,000l., under similar circumstances, and capital	484,700

G. WILDES AND CO.	
Liabilities	£ 620,000
Assets, after deducting estimated loss on suspended accounts, the major part of which are covered, 189,4000l.	1,198,000
Balance to meet private loans of 312,000l., under similar circumstances, and capital	578,000

By this statement it appears that the assets are more than sufficient to cover the liabilities; but the realization of the assets will depend upon the returns from America, which will be necessarily slow and uncertain. From the greater number of failures that have already taken place in America—calculated at upwards of 300—it may be assumed that the crisis is over. It would be unsafe, however, to look forward with much confidence to the issue, as any pressure for the discharge of commercial engagements in the Union is only calculated to produce fresh difficulties in consequence of the peculiar nature of the banking system in that country. The restrictions upon the business of the bank, which is rigidly confined to the actual amount of their capital, and the limitation of the responsibility of the shareholders to the extent of their individual subscriptions, must unavoidably deprive the commercial interest of those prompt resources under such circumstances, which are available when credit is established upon a more liberal scale, and where the circulation is capable of expansion to meet occasional difficulties.

The greater amount, however, of these failures must not be taken as a criterion of the extent of the calamities they are likely to entail, since no inconsiderable portion of these responsibilities are covered by the guarantees of other houses, amongst whom the loss will be distributed. As the advances made by the Bank form a very important item in these affairs, the following authentic statement of the actual account of each house with the Bank will be read with interest.

T. WILSON AND CO.	
On guarantee	£406,000
Uncovered June 1	220,000
	£626,000
T. WIGGINS AND CO.	
On guarantee	£200,000
Advance in notes	200,000
G. WILDES AND CO.	
On guarantee	£312,000
Uncovered June 1	90,000
	£402,000
	£1,428,000

When the failures of these firms was announced, it was anticipated that the effects would be severely felt, particularly in Liverpool and Glasgow, but as yet the accounts from those places, and from the country generally, have been more favourable than could have been anticipated. A few houses in London failed on the following day, but with the exception of the distrust that prevails, and the consequent suspension of credit, no further disasters have followed upon these events. It appears to be the general impression, that the original cause of these misfortunes is the spirit of over-trading, that has peculiarly marked our mercantile intercourse with America. The extraordinary vivacity and activity by which the speculations of the Americans have been distinguished, had long excited the surprise, and it cannot be denied, the admiration of Europe. But the more calm observer of the rapid progress of industry in America must have anticipated the state of things that has occurred. It did not require more than ordinary penetration to foresee that the adventurous republicans would soon outstrip their means, and that the busy projects which sprang up in every direction, and gave such a powerful impetus to the experimental tastes of the population, must eventually terminate in national embarrassment. The Americans have, proverbially, a passion for movement. Their favourite phrase is to "go

a head." Provided they "go a head," they believe are all right. But they have gone a head so long, and such wrong-headedness, that they have lost themselves last. The amount of British manufactures shipped to America by two of the above-named houses, as it is stated in their accounts, sufficiently testifies to the fact of over-trading. Amongst the assets of T. Wiggins and Co., we find in one item the sum of 1,118,900l. for manufactures shipped to America—and in those of G. Wildes and Co., the sum of 623,000l.; and these appear only in the winding up of the accounts of shipments. We cannot, therefore, be much at a loss to account for one of the principal causes, if not the sole cause, of this calamity.

SPECTATOR.—JUNE 17.

The merchants and bankers of the United States were naturally eager to create the impression that a speedy resumption of specie payments would take place. In a published letter to John Quincy Adams, Mr. Biddle, President of the United States Bank, labours to throw all the blame of the crisis on the policy of the late and present Administrations, and then proceeds to state the course proper to be pursued for restoring the credit of the country. After premising that the United States Bank will cordially cooperate with the Government and other Banks in measures for resuming specie payments, he says—

"In the mean time, two great duties devolve on the banks and the country. The first regards foreign nations, the second our own. We owe a debt to foreigners, by no means large for our resources, but disproportioned to our present means of payment. We must take care that this late measure shall not seem to be an effort to avoid the payment of our honest debts to them. We have worn, eaten, and drunk the produce of their industry—too much of all, perhaps, but that is our fault, not theirs. We may take less hereafter, but the country is dishonoured unless we discharge that debt to the uttermost farthing."

"The second duty is to ourselves. We should bear constantly in mind, that the step which has been taken is excusable only on the ground of an overruling necessity. We must not make the remedy itself a disease. It must not be the pretext of extravagant loans. These are already sufficiently inflated; and if we have voluntarily removed the most familiar and established check upon all issues—their immediate convertibility into coin—it is our duty to substitute some effectual restraints, which may enable us to restore the currency without delay or difficulty to a safe and wholesome condition. The result of the whole is that a great disaster has befallen to the country. Its existence thus far is only a misfortune; its continuance will be a reproach, from which all true men must rally to save her. We must try to render it as short as possible, waiting patiently and calmly for the action of the Government, and in the mean time diminishing its dangers by great prudence and forbearance. For myself, you know how zealously I have laboured to avert this misfortune. With not less anxiety I shall now strive to repair it."

It was expected that committees of the different banking establishments would be formed to act upon the suggestions of Mr. Biddle. The Secretary of the Treasury had suspended all operations with the Deposit Banks, except that of withdrawing the Government funds from their charge, which he promised should be done cautiously and in reasonable sums. He was engaged also in an attempt to procure new "depositories;" but where he is to find any more secure than those he now has, it would be difficult to say.

The Governor of Pennsylvania has called an extra session of the Legislature, at which he has intended to lay before them a bill for the purpose of evincing that the Legislature were therefore unlikely, for their count of the unpopularity of measures for putting the currency on a sound basis.

And this remark leads us to the consequence of the universal States is the depreciation of the notes are 10 per cent. below the value of the gold, and will be enabled at once to pay less than their dues. This depreciation is progressive, and we expect continuance. The difficulty of a convertible into gold will even process became constantly more even commenced without causing tailment of loans by the bank, and then many would have to in the dollar debts contracted or less. Ruin to multitudes commerce would be languid; protested bills plentiful; districts such as they never dream of country of cheap corn. Such How soon the retracting process only question. The prospect of currency is not so endurable must be some stopping place; currency gentlemen will be a hideousness.

It seems to be generally expected suspension of specie payments gold to England. We question effect immediately. The diffusing laws to prohibit the pay General Government, which is turn affairs have taken, is still exportation of that gold which it to obtain. Eventually however the best market; which with cannot be in the United States.

This subject affords endless conjecture. At present we shall of the Jackson policy and the United States prove how government to interfere with the commerce and banking, and to alter course of mercantile exchanges; that requires fresh consideration, with perhaps to be made; and finally, taking in America must be product this country of great moment not merce and the monetary system, b point of view.

CHILE AND PERU.

The war that is now raging between Peru-Bolivian Confederation is mark which impress it with a peculiar character, of obtaining regular and authentic to some misconceptions on the speculations in relation to it vague evidently the interests of these strict amity towards each other sprung up between them upon so or etiquette which have never been and which we really believe are intelligible to either party. The is sufficiently absurd, and its in the last degree. A pamphlet published, entitled *An exposé of the Ermen Chile and the Peru-Bolivian* which the writer endeavours to prove of Chile are unjust, and that San exhibited a strong desire to bring their amicable and honourable conclusion. We are fully sa-

ZOOLOGICAL SOCIETY.

Meeting was held on Tuesday evening, Sept. 1, in the chair. A letter was read from the Hon. Secretary to the Zoological Society of London, accompanying a preserved head and specimen of a marmot or hamster, which gave some novel and curious facts in the economy of that animal. In the winter it burrows two or three feet deeper than in summer; the earth not being rammed in at random, but made in masses about the size of a pea or bean, which allow a free circulation of air, and prevent the animals being suffocated. A paper was read from Mr. Bennett on the luminosity of the sea, attributing this phenomenon not only to medusa, mollusca, and crustacea, but to a variety of fish. He captured a small shark about a foot and a half long, which when taken, was very luminous, and continued so whilst it lived, or about the space of three hours, this appearance being most vivid when the fish struggled. The luminosity in this and other fish, it was supposed, might probably be the means afforded by nature by which they are enabled to catch their prey.

MEDICO-BOTANICAL SOCIETY.

Earl Stanhope delivered his annual address to the society on Wednesday evening in the Theatre of the Royal Institution. The members assembled were few, the royal birth-day celebrations detracting from the splendour of the meeting. The noble earl lamented the death of Mr. Tinning at Calcutta, and of Dr. Bourke at Bengal, noticed the communications of Sir K. Porter, Dr. Hawcock, and Dr. Sigmond, complimented Mr. Judd on his valuable labours for the benefit of the society and mankind, and concluded by urging the members to investigate the indigenous remedies which nature provides in every country for the diseases to which its inhabitants are most liable.

DR. LARDNER ON STEAM COMMUNICATION WITH INDIA.

ALTHOUGH studded with too many solemn commonplaces, and mingling with the zeal of an advocate the *ipse dixit* manner of a pedagogue in his school, Dr. Lardner's pamphlet is the most distinct and business-like publication that we have seen in favour of Steam Navigation to India. Against the risks and difficulties attendant upon the punctual execution of the plan, Dr. Lardner, indeed, adduces no new facts,—though he makes the novel assertions, that the coral reefs of the Red Sea offer no impediments to the voyage of a steamer; and that there are "numerous harbours, as well on the Arabian as on the Abyssinian and Egyptian coasts, which would form places of refuge in case of accidental derangement, or extraordinary stress of weather," for vessels of a thousand tons! He has, however, thrown out some judicious suggestions with respect to the choice of depot stations between India and Egypt, if they can be effected, and laid down some excellent rules regarding the build, class, and character of the steamers that should be employed.

As regards the first of these points, Dr. Lardner truly states, that *insular* stations between India and Egypt for depots of fuel &c. would be far preferable to any on the main land, to avoid the chances of interference or collision with the natives; and he points out, as well adapted for this purpose, the small isle of Camaran in the Red Sea, and Socotra, an island on the coast of Africa, at the extreme verge of the Indian Ocean. There is little obstacle, indeed, in the way—that we have not a shadow of right to either of them; but our author declares, that "to obtain the cession" of Socotra could not be a matter of any difficulty; and he gives an ominous hint as to the other—"Camaran," quoth the Doctor of Laws, "belongs to an independent Shik, who resides upon it in a castle; it has frequently changed masters, and possession alone seems to constitute the title of its present owner." "That snuff box," argued Mr. Vaux, "belongs to an old gentleman, who keeps in his pocket; it has frequently changed masters, and possession alone seems to constitute the title of its present owner; so, how presto? let it have a new one."

The remarks of Dr. Lardner upon the steam part of the enterprise are entitled to more attention than his geography or his ethics. He proposes that the line from England to India should be under "one single agency" throughout; and not to be taken up from Malta, or have any connexion with the present Post-office Mediterranean packets, unless it were to supersede them. The reason for this, that parcels and passengers may be "booked" throughout, without being transferred from one agency to another with divided responsibility. He judiciously urges, that no false economy should be used at starting; and recommends that steamers should be built of 1,000 tons and 250 horse power, as the most effective size for contending with the seas they will have to encounter. The vessels should be numerous enough to allow a fresh one to ply between every station; on arriving at which, passengers and luggage should be transferred to the steamer in waiting, leaving the new comer to rest its turn. For, "it is found that the machinery of a steamer requires after moderate intervals to be examined and readjusted; the fire-places and flues to be swept and scraped; the boilers to be discharged of their contents, and well cleaned both internally and externally. If this process be omitted, or only observed after protracted intervals of uninterrupted work, the machinery will not only be quickly destroyed, but even while it lasts the performance of the vessel will be inefficient; her speed will be diminished, her consumption of fuel will be augmented, and that portion of fuel which fails to propel her will be actively engaged in working her destruction. In a word, a steam-engine, like an animal, requires regular repose at reasonable intervals; of which being deprived, it ceases to be capable of useful labour."

The vessel, engines, and fittings-up, should be specially adapted for this service; the accommodation to be of a liberal and "luxurious" kind. They should exactly correspond to one another, not only as regards magnitude, model, and fitting-up, but in every particular, nautical and mechanical; so that any part of one would admit of being interchanged for a similar part of another. Thus, any part of the machinery or stores, for any one of these vessels, would be fitted for any other. The berths and conveniences provided for passengers would precisely correspond."

The expense, exclusive of stations, but including the first cost of the vessels. Dr. Lardner estimates at 126,200l. a year. He calculates the returns at 213,000l.; but this supposes that the vessels, in stage-coach phraseology, "fill." If, however, only half the number of passengers who now go by the Cape proceeded by the new route, the returns would more than cover the estimated expenses. The calculation, on the more certain data of newspapers and letters, merely yields, however some 18,000l. And though we think that, when the certainty of the passage is established, many passengers will prefer the steamers to the longer passage round the Cape, we do not believe that the rapaciousness of Dr. Lardner will be fulfilled for years to come. He seems to overlook or to shut his eyes to the risk of infection, and to the delays of quarantine.

However, as we said some months ago, the experiment ought to be tried; and, if punctually practicable, continued for some time even at a loss. But although three years have now elapsed since a Committee of the House of Commons recommended the attempt, and although the mercantile community both in England and India are anxiously moving in the matter, nothing, we believe, has been done by Government, except to spend some 20,000l. on a foolish expedition to the Euphrates. How long will it be before Whig rulers learn practical wisdom, or act with common sense? Here is a matter which all parties must support, or at least refrain from opposing; one, too,

interesting to various influential classes, not involving much expense, or, in its establishment, any difficulties; and carrying with its attempt alone a certain degree of eclat. If the Tories come into power, we may be sure that their *show-cards*, as the universal penny-postage for letters will be another.—*Spectator*, June, 10.

SCOTT'S SENSES.

It is a fact, which some philosophers, may think worth setting down, that Scott's organization, as to more than one of the senses, was the reverse of exquisite. He had very little of what musicians call an ear. His smell was hardly more delicate. I have seen him stare about, quite unconscious of the cause, when his whole company betrayed their uneasiness at the approach of an overkept lanch of venison; and neither by the nose nor the palate could he distinguish corked wine from sound. He could never tell madeira from sherry: nay, an Oriental friend having sent him a butt of *sheeraz*, when he remembered the circumstance some time afterwards, and called for a bottle to have Sir John Malcolm's opinion of its quality, it turned out that his butler, mistaking the label, had already served up half the butt as *sheeraz*. Port he considered as physic: he never willingly swallowed more than one glass of it, and was sure to anathematize a second, if offered, by repeating John Home's epigram—

"Bold and erect the Caledonian stood.

Old was his mutton, and his claret good;

Let him drink port, the English statesman cried:

He drank the poison, and his spirit died."

In truth, he liked no wines except sparkling champagne and claret; but even as to this last he was no connoisseur; and sincerely preferred a tumbler of whisky-toddy to the most precious "liquid ruby" that ever flowed in the cup of a prince. He rarely took any other potation when quite alone with his family; but at the Sunday board he circulated the champagne briskly during dinner, and considered a pint of claret each man's fair share afterwards. I should not omit, however, that his Bourdeaux was uniformly preceded by a small libation of the genuine *mountain-dew*, which he poured with his own hand, *more majorem*, for each guest—making use for the purpose of such a multifarious collection of ancient Highland *quigns* (little cups of curiously dovetailed wood, inlaid with silver) as no Lowland sideboard but his was ever equipped with.

SCOTT'S FIRST ILLNESS.

"I hasten to acquaint you that I am in the land of life, and thriving, though I have had a slight shake, and still feel the consequences of medical treatment. I had been plagued all through this winter with cramps in my stomach; which I endured as a man of mould might, and endeavoured to combat them by drinking scalding water and so forth. As they grew rather unpleasantly frequent, I had reluctant recourse to Baillie; but before his answer arrived, on the 5th, I had a most violent attack, which broke up a small party at my house, and sent me to bed roaring like a bull-calf. All sorts of remedies were applied, as in the case of Gil Blas' pretended colic; but such was the pain of the real disorder, that it outwitted the Doctor hollow. Even heated salt, which was applied in such a state that it burned my shirt to rags, I hardly felt when clapped to my stomach. At length the symptoms became inflammatory, and dangerously so, the seat being the diaphragm. They only gave way to very profuse bleeding and blistering; which, under higher assistance, saved my life. My recovery was slow and tedious from the state of exhaustion. I could neither stir for weakness and giddiness, nor read for dazzling in my eyes, nor listen for a whizzing sound in my ears, nor even think for lack of the power of arranging my ideas. So I had a comfortless time of it for about a week.—*Lockhart's Scott*."

A FASHIONABLE TAILOR'S BILL.

THE LATE CAPTAIN NESBITT.

In the Court of Exchequer on Saturday, an action was brought by Mr. Burchart, the tailor, of Clifford-street, against the executors of the late Captain Nesbitt, to recover £2,154 for clothes and house rent, for a period of three years, during which time the deceased was under age. The defendants pleaded infancy, to which the plaintiff rejoined, that the articles supplied were "necessaries," matter had been before the Court of Chancery, by which the present action was directed, to ascertain if the articles so furnished came under the description of "necessaries."

Mr. Erie, in stating the case to the jury, said that, although the amount of the plaintiff's bill and the quantity of clothes supplied to the minor might appear extraordinary, it must be at the same time borne in mind, that the deceased, Mr. Nesbitt, was a gentleman probably of a capricious turn of mind, and was a young man who was mingling in the most fashionable society, and was represented as heir to an income amounting to £7,000, into possession of which he would come on attaining the age of 21. In the course of the present investigation it would be found that many of the articles which had been ordered by Mr. Nesbitt were of the most costly and expensive description; but the jury, in determining what were "necessaries," that being the sole question at issue, were not to confine themselves to what would merely clothe the deceased, but what were necessary for a gentleman keeping the company Captain Nesbitt had, and holding a commission in the Life Guards. The whole question, in point of fact, was, were the articles furnished by the plaintiff necessities or were they not? Then, taking the habits of a gay young man, who was mixing with the most fashionable of the fashionable world, into consideration, he had no doubt but that the jury would award a verdict to the plaintiff for the whole amount of his demand, every shilling of which, had Captain Nesbitt lived, would have been paid.

William Stultz, examined by Mr. Platt, stated that he was clerk to the plaintiff. Amongst the articles there was a fur cloak, which had formerly composed part of the wardrobe of the late King George the Fourth; that was charged £73 10s.; their Indian Cashmere shawls, of a peculiarly fine quality, £149 10s. averaging about £50 each; these were supplied on 25th November, 1830. Then there was some sable fur of a curious and expensive quality, which had also belonged to George the Fourth, for Mrs. Nesbitt's cloak, £42; an aiguillette for his regimental cloak, made of pearl gold, £21. In the month of October, 1830, Captain Nesbitt took the upper part of the plaintiff's house for the period of six years, at an annual rent of £400. Those apartments were now let at about the same rate. Of the whole amount of the bill, the item of regimental clothing was not more than about £300. Mr. Nesbitt was an officer in the Life Guards, and kept two horses; he had two servants at his lodgings, and two at the stables. He also had a regimental groom. For all these servants liveries were made. Capt. Nesbitt frequently changed his servants, and he always had fresh liveries for the new servants. It was impossible for him at that moment to say what the costs of those liveries had been, because the items ran throughout the account; but he thought the amount of Captain Nesbitt's personal clothing was about £1,000, and the remaining part of the clothing bill must therefore be made up with charges for the liveries.

Lord Abinger: What is the whole amount of the plaintiff's claim on this head?—Witness: About 1,524l.

Lord Abinger: Then, deducting the other things, the cost of the liveries would be about 524l.

Examination resumed: There were four sets of solid gold buttons also furnished; the charge for them was 211;

also a writing and dressing-case which had belonged to George the Fourth, a very handsome article, 10 guineas. Lord Abinger: Then it seems that what belonged to the late King were "necessaries" for Captain Nesbitt?—Laughter.—The charge for the first black coat was reading the items: Well, now I come to "a rich sable box tippet;" I don't believe that was necessary as a part of the military costume of the Life Guards. (A laugh.) That, I see, is charged 5 guineas; pray was that for himself. It was an exceedingly cold winter, and he wore it round his neck.—Mr. Thesiger: Probably "rich racing jackets" are necessary for an officer in the Life Guards, for I see two are charged—(a laugh)—and then I find an item "84 black silk handkerchiefs and stocks—103l. 2s." Were those his?—Witness:—Yes, there were also thirty-two white quilting waistcoats, £31., with Life-guard dress buttons, and large fairs' cape. Next there were fifteen yards rich Genoa velvet, £22 10s. and the following item was nine cashmere waistcoats charged £13 10s. On the 10th of November there was a super-fine green cloth lady's cloak, lined, £19. On the 18th April, 1830, there were six pair of doe-skin trousers, £31 10s.; he could not say whether those constituted part of the Life Guards' regimental attire. The charges in the bill were for twelve months' credit. At the time Captain Nesbitt took the lodgings he was unmarried, but he nevertheless took the whole of the upper part of the house, except an attic. It was, however, understood that he was about to be married—that he was on the point of marriage to Miss Mordaunt, who was in the habit of coming nearly every day to see him. When he was united to that lady he left the apartment.

Proof was given that the deceased held a commission in the Life Guards, and that he was entitled to £27,000. Mr. Thesiger then addressed the jury at great length on the defence, and said that the question they had to consider was one of the utmost importance, not merely to those engaged in trade but to the well-doing of young men on their outset in life. It appeared that at no time had Captain Nesbitt possessed more than £646 per annum. Of that sum £500 was an allowance from his guardians, and that the £146 was the amount of his pay. How could he then afford to take apartments at £400 per annum? Of how could he afford to have the articles he was about to enumerate in the short space of three years? There was, first a charge of £185 7s. for regimentals; £442 5s. for eighty-eight coats; £316 2s. 6d. for 152 waistcoats; £244 9s. for trousers and breeches; £77 2s. for six morning gowns; £12 10s. for two racing jackets; £78 11s. 6d. for two fancy dresses; £103 2s. for black silk handkerchiefs and stocks; £68 2s. for seventy-nine pairs of drawers; £59 19s. for four cloaks; £149 10s. for three shawls; £97 13s. for furs; £54 14s. for 38 yards of Genoa velvet; £46 16s. for alterations, etc.; and £3 6d. for bread, and butter, and tea. Now it was for the jury to say whether these things were "actual necessities" for a young man of Captain Nesbitt's station and circumstances. His learned friend had said that young men similarly situated with the deceased were entitled to go to fancy dress balls, and, therefore, that he must necessarily have a fancy dress. With great deference to the officers of the regiment, he would take the liberty of saying that they had no right to attend such entertainments when under age, unless their pecuniary resources were such as to justify the act. Lady Nesbitt, his mother, complained to the plaintiff, and even appealed to him, as the father of a family, to know how he would like any person to encourage his children in habits of extravagance, as he had been doing in regard to her son. To these appeals the plaintiff only returned a sneer, and said that he should trust to her son's honour, and that he had no doubt he would pay him. The learned counsel then, at some length, proceeded to comment upon the conduct of the plaintiff. The jury must also remember that during the three years of the plaintiff's claim there was incurred there were orders given to other tailors, to one of whom Captain Nesbitt's estates owed £602, and to another £504; so that, in addition to the present claim of £2,154, there were others from tailors amounting to nearly £1,209. He looked confidently for their verdict.

Colonel Poyntz stated that, in his opinion, the amount of allowance necessary for a young man going into the Life Guards, was £300 per annum, which, with his pay as Sub-Lieutenant, 8s. a day, was quite sufficient for him to live upon. Five hundred pounds per annum was an abundant allowance. He should say that £600 was enough to purchase all the requisite outfitings.—Cross-examined by Mr. Erie. He had lived upon that income himself in his early days, and had also known many others who had done so.

The Hon. General Lygon: Was a General in his Majesty's service, and was formerly Colonel of the First Regiment of Life Guards, was so in 1828, 1829, and 1830. He knew Mr. Nesbitt, who lived principally in the barracks, in which there were rooms set apart for his accommodation. He considered £500 per annum, in addition to his pay, to be sufficient for the rank Mr. Nesbitt held in the Life Guards, although some allowance must at times be made for the station and education of the party; £600 was ample for an outfit.—Cross-examined by Mr. Platt: That included horses. Did not know that the expenses of the 1st Life Guards were greater than the Blues. He knew Mr. Nesbitt had two horses, but he might have had more without his knowledge. It was not absolutely necessary for him to have a groom, as he had a soldier assigned him from the ranks to attend his horses. It is expected that the junior officers always reside in barracks and dine at the mess.

Lady Nesbitt, who was then called, stated that she had upbraided, indeed appealed to, the plaintiff as a father, upon the cruelty of encouraging her son in his extravagance.

Other witnesses having been put into the box, Lord Abinger recapitulated the evidence, and then told the jury if they believed the testimony of the witnesses for the defendants, that the deceased had an allowance of £500 a year, in addition to his pay of £146, that they must find a verdict for the defendants, as it had been proved by two officers of long experience that such an allowance was ample and sufficient.

The jury found a verdict for the defendants, thereby non-suiting the dear fashionable tailor.—*True Sun*, June 22.

INSOLVENT DEBTORS' COURT.

Michael Barry Macarthy, comedian, late of Covent Garden Theatre, applied on his petition, and was declared entitled to his immediate discharge.

William Fletcher, the faithful servant of Lord Byron, was discharged on Monday. He was unopposed. His insolvency was ascribed to outstanding debts, and to the discontinuance of payment by the Hon. Mrs. Leigh of the allowance of 70l. a year, which she made him for some time subsequently to the death of Lord Byron. He had kept a lodging-house, and also an Italian warehouse, in Charles street, Berkeley square. Mr. Commissioner Harris inquired whether the insolvent had any title to the allowance from Mrs. Leigh.—Mr. Cooke replied in the negative. It was merely made to testify the gratitude of the family for his faithful services.—Fletcher said it would have been paid if circumstances had not prevented Mrs. Leigh from extending her kindness towards him so bountifully as before.—The Court ordered his immediate discharge. Mrs. Leigh kindly undertook to pay the costs of the application to the Court.

FLOWERS AND FLORISTS.

Mr. H. Groom's Tulips.—The private view of tulips at Walworth, on Tuesday, was attended by a large number of the nobility and gentry, and a large number of the Archbishop of Canterbury and family, the Marquis of Alibury, Lord Lynecock and a party, the Duke of Dunstanville and a party, Lady Davey, the Countess of Buckinghamshire, Lord Willoughby de Broke, Skelmersdale, Lord Bexley and a party, the Hon. Percival and a party, H. Goring, Esq., M. P., &c. Before advancing to the "guarded bed," we wandered through the garden and green-houses, admiring the anemones just rushing into bloom, with all their brilliant colours, the ranunculus, and the promise of the carnations. We have seldom seen so fine a collection of geraniums as the green-house exhibits; and there are many very beautiful calceolaries, and several new and interesting green-house plants.

The tulips, protected by their awning, exhibit a mass of the richest colouring defining the most elegant forms. The tallest tulips form the centre line, and the bed declines on each side to the more rare, when equally beautiful, flowers which are of shorter growth. The effect of 1,800 bulbs thus arranged is magnificent, and the value of the bed may be guessed at by the price of one root, 100l., being still demanded for the Nourri Effendi. The sombre beauties of the Pompe Funebre, the Catiffalque, and the Reubrandt mix with the livelier brilliances of the Lucy, the Brulante, Etalante, and the Camuze de Craix, Louis XVI., Queen Adelaide, Michael Angelo, Edmund Kean, Rubens, Milo, and Fabricius have their representatives here; and a new and beautiful rose-tulip is defined, with the express permission of the Duchess of Kent, to bear the name of her Royal Highness, the Princess Victoria, with an addition commemorative of her eighteenth birthday. Another novelty is a beautiful lizard not yet named. The Claudiana, Bacchus, and all the favourite flowers are as beautiful as ever, and, considering the season, the display is wonderful, better, indeed, than that of last year. They promise to keep in bloom all next week.

MISCELLANEA.

A TREASURE SECURED FOR THE NATIONAL GALLERY. At the very time when we were twitting the Whig Ministers with neglecting opportunities of securing fine specimens of art for the National Gallery, they were secretly demonstrating the injustice of our accusation, by laying out 6,000l. of the country's money on the purchase of a picture by VERILLO; as the "do good by stealth," they may perhaps "blush to find it fame." Estimating, as we are bound to do, the value of the acquisition by its cost, we cannot but felicitate the country on the possession of a painting that we just presume as far surpasses in beauty and excellence any other work of the master, as it does in the amount of purchase-money. Poor Louis PHILIP, what a treasure he has lost! We dare say, now, Baron TAIOR has not paid more hundreds than this cost thousands for any one specimen of VERILLO that he has secured for his royal master.—*Spectator* July, 17.

A Signor Sebastiano Bturi, from Brescia, in Italy on Thursday exhibited a fire-proof dress, in which he enveloped himself, and passed through a small cottage or shed, erected for the occasion, in the grounds of Cremorne House, and set on fire for the purpose of proving the incombustibility of his invention. The shed was constructed of thin wood and straw, and crammed with straw and dry chips. The experiment was advertised to take place at half-past three, and it was half-past five before the shed could be prevailed upon to burn with sufficient fury for the proof of his invention. The Signor, when clothed in his fire-proof dress, bore some resemblance to the late King, his head was covered with

windows, which glared upon the company. This last appearance was a most remarkable exhibition. The dress, compound resembling a compound, but as this is the secret of it, to describe what it really is, had sufficiently seized on the entered at one end, and repeating this feat several times he said that the experiment to prove either that the dress utility, or that it would resist the heat and fire of a nation. The shed was much the Signor within it much efficacy. As it was, it was rather else, and was so absurd nothing at all.—*Times*.

We have seen a file of the weekly paper, established by Stephen D. Mackintosh, of his Majesty, King Kauiki is given in the first number of "To Stephen D."

I assent to the letter with me pleasure to see the work that are new. If I was there to see, I have said to King thought is ended. Love to

The editor seems to have been with the of public of Honolulu, frequently acknowledging pro-ovances," and many other excellence;" evincing all the of civilisation. A dinner is given by Mr. Jones, the American U. S. ships *Peacock* and *Essex*, which dinner there is nothing King honoured the banquet with observed to eat heartily of bak

"The United States Frigate 32-1 ounds, arrived at Portsmouth from Boston, having on suite proceeding to St. Petersburg to that Court. The Independent, modore Nicolson, and is a raze 3 in appearance, and heavily crew of six hundred and forty men, plain, however, of a want of seams boys and landsmen, and in general armament is powerful; the main-deck and those of the upper deck 50 cwt soon as she had run through Spithe courses, and throwing her main to just a head of the *Princess Charlotte* of twenty-one guns; this was by Sir Frederick Maitland's flag-ship difference was accidental, and officially by the commodore in his v the American flag was immediately foretop-gallant-mast head of the British two guns of the salute duly proceeded to London, with his friends, and will return for Cronstadt the *Independence* will proceed and thence to St. Helena and the (Portsmouth Herald.)

BOMBAY.—Printed and Published by SOHABEE DORABEE, at the Church lane, where all communications to the EDITOR, are received